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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/573,378

03/24/2006

Kenya Shitara

00005.01290

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7590

04/23/2008

FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER

DANG, IAN D

ART UNIT

PAPER NUMBER

1647

MAIL DATE

DELIVERY MODE

04/23/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10573378	3/24/2006	SHITARA ET AL.	00005.01290

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**EXAMINER**

IAN DANG

**ART UNIT****PAPER**

1647

20080422

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

Applicant's response and arguments filed on 01/30/2008 are acknowledged. However, the reply filed on 01/30/2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant failed to indicate how the amendments made to claim 1 correspond to the elected species for the antibody VH and VL region of the restriction requirement mailed 08/16/2007. It appears that the amended claim 1 is directed to an invention that is independent or distinct from the invention originally elected for the following reasons: claim 1 of the originally elected species for an antibody VH region includes SEQ ID NO:5, SEQ ID NO:6, and SEQ ID NO:7 and the elected species for the antibody VL region include SEQ ID NO:8, SEQ ID NO:9 and SEQ ID NO:10. However, the amended claim 1 (filed 01/30/2008) now recites the antibody VH region that includes SEQ ID NO:26 and the antibody VL region that includes the SEQ ID NO:27 SEQ ID NO:28, or SEQ ID NO:29. The amendments made to claim 1 are directed to a different recombinant antibody from the one originally elected species for the antibody VL and VH regions.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ian Dang whose telephone number is (571) 272-5014. The examiner can normally be reached on Monday-Friday from 9am to 5pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Manjunath Rao can be reached on (571) 272-0939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ian Dang  
Patent Examiner  
Art Unit 1647  
April 22, 2008

/Robert Landsman/  
Primary Examiner, Art Unit 1647